

R E M A R K S

The Office Action of June 18, 2008, has been received and carefully reviewed.

Applicants would like to thank the Examiner for the telephonic interview of September 15, 2008.

Applicants have amended claim 1 by insertion of the term "non-aqueous" before "thermoplastic resin", to clarify that the two-pack curable adhesives disclosed and claimed in Applicants' invention do not contain any water, and would not be considered by those of ordinary skill in the art, to be aqueous adhesives. While the specification does not explicitly state the phrase "non-aqueous", the specification discusses repeatedly that the mixed composition containing the thermoplastic resin has to be resistant to showering with water at 50°C (page 5, lines 12-20; page 18, lines 22-26; page 21). In addition, the Examples on pages 19-21 show the making of the two-pack curable composition and list of all the ingredients in Table 1. Nowhere in Table 1 is there listed any water or aqueous solution. Applicants submit that the specification makes it abundantly clear to one of skill in the art that

the curable compositions used in the invention do not contain any water, and that the inventors had possession of the claimed subject matter at the time of invention. See, *In re Hayes Microcomputer Products Inc. Patent Litigation*, 25 USPQ 2d 1241, 1245 (Fed. Cir. 1992). See also, *In re Voss*, 194 USPQ 267, 271 (CCPA 1977) (...it is only necessary for the specification to describe the invention sufficiently for the ordinary skill in the art to recognize that Applicant invented the subject matter he claims.)

Applicants acknowledge the Examiner's withdrawal of the previous rejection of claims 1-3, and 12 as anticipated, and rejection of claims 7-8, 10-11 and 13-16 as anticipated, and/or rendered obvious by USP 3,772,237 to Bullman, and Bullman in view of Nakano et al., in view of Applicants' remarks.

Rejections under 35 U.S.C. §103(a)

The Examiner maintained the rejection of claims 1-3 and 10-12, as obvious under 35 U.S.C. §103(a) over USP 4,386,992 to Takegawa et al. The Examiner alleges that Takegawa et al. disclose a two-part adhesive composition comprising an aqueous emulsion adhesive and a gelling

agent. The adhesives include polyacrylates, PVC and other aqueous polymers. The Examiner admits that Takegawa et al. fail to disclose a two-pack composition comprising Applicants' claimed non-aqueous resin, and is silent with respect to gelation at room temperature. However, the Examiner alleges that because Takegawa et al. teach polyacrylates which are "generic to core-shell and gradient resins", it would have been obvious to use the resins of Applicants in the two-pack curable composition of Takegawa et al. Applicants respectfully traverse this rejection.

As Applicants have stated previously, Takegawa et al. teach a two-pack adhesive composition comprising an aqueous synthetic resin emulsion adhesive and a gelling agent selected from the group consisting of calcium pantothenate, glycine calcium salt, alanine calcium salt, serine calcium salt, threonine calcium salt, methionine calcium salt, phenylalanine calcium salt, and calcium aspartate.

The adhesive of Takegawa et al. is an aqueous emulsion adhesive. As Applicants have previously made of record, aqueous emulsion adhesives are known generally in the automobile manufacturing industry to have multiple

disadvantageous properties including: no resistance to showering in a gel state; the aqueous emulsion adhesive causes rusting of metals; the high temperatures encountered during the coating step would cause the generation of steam, which would form bubbles or blisters in the seals and coatings; the required properties of Applicants' claimed invention, such as elongation cannot be attained; and aqueous emulsions have poor adhesion to oil treated steel plate, as required by Applicants' invention.

In contrast, the two-pack curable composition of the present invention, as claimed in amended claim 1, is a non-aqueous one, as evident from the ingredients listed in Applicants' Examples and in Table 1.

In view of Applicants' amended claims, Applicants submit that Takegawa et al. cannot render Applicants' claims obvious, because Takegawa et al. do not teach each and every feature of Applicants' claimed invention. Specifically, Takegawa et al. do not teach a two-pack curable composition where the first composition contains a non-aqueous thermoplastic resin selected from the group consisting of polyvinyl chloride, vinyl chloride-vinyl acetate copolymers, core-shell type acrylic resins and

gradient type acrylic resins, and a plasticizer, and the second composition contains a gelling agent selected from the group consisting of plasticizers, high-boiling solvents, organic solvents and monomers of thermoplastic resins, wherein said composition gels at room temperature on mixing both compositions. Applicants respectfully request withdrawal of this rejection.

The Examiner also maintained rejection of claims 7-8 and 13-16, under 35 U.S.C. §103(a), as obvious over Takegawa et al. in view of USP 5,166,229 to Nakano et al. According to the Examiner, Takegawa et al. is silent with respect to thermosetting epoxy resins, latent curing agents and viscosity, as well as the use of Takegawa et al. compounds in the spot/body welding step of an automobile assembly line. Nakano et al. is offered for teaching that epoxy resins are widely used as adhesives or paint coatings because of their adhesion to various materials. Such epoxies are incorporated with latent curing agents, and have a viscosity of not less than 500 poises. The Examiner alleges that it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to add thermosetting epoxy resins to the adhesive composition of Takegawa et al. for the above advantages, and that one

would have had a reasonable expectation of success.

Applicants traverse this rejection.

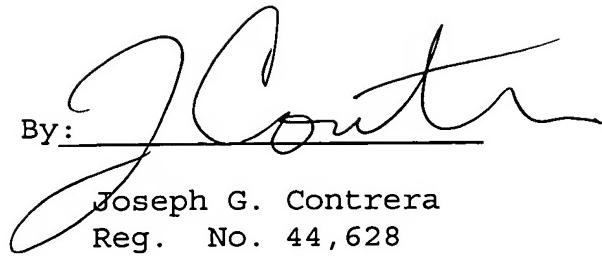
As Applicants have stated above with regard to the previous rejection, the compositions of Takegawa et al. do not teach a two-pack curable composition where the first composition contains a non-aqueous thermoplastic resin. These limitations are not cured by the addition of Nakano et al. Nakano et al. teach epoxy resins, but do not teach the non-aqueous plastisol composition, plasticizers, or gelling agents claimed by Applicants. Accordingly, the combination of Takegawa et al. in view of Nakano et al. cannot render Applicants' claims *prima facie* obvious, and Applicants respectfully request withdrawal of this rejection.

With this amendment and the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney.

Respectfully submitted,
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